

House Bill 466 (AS PASSED HOUSE AND SENATE)

By: Representative Hanner of the 148<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act abolishing the office of county treasurer of Stewart County, providing for  
2 the appointment of depositories for funds, and creating the office of disbursing clerk,  
3 approved August 20, 1927 (Ga. L. 1927, p. 666), as amended, so as to change certain  
4 provisions relating to appointment and bond of the disbursing clerk; to change certain  
5 provisions relating to duties of the disbursing clerk; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act abolishing the office of county treasurer of Stewart County, providing for the  
10 appointment of depositories for funds, and creating the office of disbursing clerk, approved  
11 August 20, 1927 (Ga. L. 1927, p. 666), as amended, is amended by striking Sections 3 and  
12 4 and inserting in lieu thereof the following:

13 **"SECTION 3.**

14 The office of disbursing clerk of Stewart County is hereby created. The disbursing clerk  
15 shall be appointed by the governing authority and shall serve at the pleasure of the  
16 governing authority. The disbursing clerk shall not be an officer or employee of the bank  
17 serving as county depository. It shall be the duty of said disbursing clerk to give bond for  
18 the faithful performance of his or her duties in such office, in the amount of \$25,000.00,  
19 in some good and solvent surety company licensed to operate within the State of Georgia,  
20 and the premium for said bond shall be paid out of the general funds of Stewart County.  
21 The governing authority is hereby authorized, but not required, to appoint the clerk of the  
22 governing authority as disbursing clerk of Stewart County.

1                                   SECTION 4.

2     Be it further enacted by the authority aforesaid, that it shall be the duty of said disbursing  
3     clerk to receive all funds now on hand or payable to Stewart County in the future and to  
4     keep a correct record of the same in well-bound books, which records must be kept in the  
5     office of the governing authority as other records of this office are now kept, and that said  
6     funds shall be deposited daily in the designated county depository, receipts taken therefor  
7     and filed in the office of the governing authority, and that said receipts and records may be  
8     open to the general public of Stewart County for their information; that it shall be the duty  
9     of said disbursing clerk to issue all warrants and checks disbursing county funds, same to  
10    be signed by him or her and countersigned by the chairperson of the Stewart County board  
11    of commissioners; that it shall be the duty of said disbursing clerk to make such financial  
12    statements as often as directed by the governing authority; that it shall be the duty of said  
13    disbursing clerk to perform all duties as theretofore imposed upon the treasurer of Stewart  
14    County, and that it shall be the duty of said disbursing clerk to take a statement, showing  
15    funds on hand and expended for county purposes, to the grand jury of each superior court  
16    held in Stewart County; and that he or she shall be held responsible, as all county treasurers  
17    or financial officers are now held liable civilly or criminally, for any nonfeasance,  
18    misfeasance, or malfeasance in office; and that said governing authority shall have the right  
19    to proceed against such disbursing clerk and his or her security or securities on bond, in the  
20    same manner as provided by law relating to actions upon any fidelity bond."

21                                   SECTION 2.

22    All laws and parts of laws in conflict with this Act are repealed.